THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :16145 of 2006

DATED:11-06-2007

BETWEEN:

M/s Hotel Sree Abhilasha,
rep., by its Managing Partner,
M.Purushotham Reddy
a registered partnership firm,
having its place of business at H.No.1-7-1070/1,
RTC Cross roads,
Hyderabad & another.

..... PETITIONERS

AND

The Station House Officer,
Chikkadpally Police Station,
Hyderabad.

.....RESPONDENT

ORDER:

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Home appearing for the respondent.

2. Petitioners seek a writ of mandamus declaring the action of the respondent in obstructing the petitioners from carrying on their lawful business activity of running of an eating house and restaurant under the name and style 'Hotel Sree Abhilasha' and 'Abhilasha Enterprises', as high handed, illegal and arbitrary.

3. The grievance of the petitioners is that the respondent-Station House Officer, Chikkadpally is unnecessarily interfering with the lawful business activities of the petitioners' house and restaurant under the name and style "M/s Hotel Sree Abhilasha & M/s Abhilasha Conference Hall
(A Unit of Abhilasha Enterprises) without any justification whatsoever.

4. Counter has been filed stating that on a complaint filed by one Ravi, son of Jagan stating that the petitioners are carrying on clandestine business by mixing goat mutton with beef and serving to the customers, and on 07-01-2006 they caught one person by

name Rafi who brought mutton on a scooter and handing over to the management of the petitioners' hotel and he confessed that he was supplying mutton to the management as per their placement by adulterating beef mutton in goat mutton, and hence requested to take necessary action according to law. Based on the said complaint Cr.No.10 of 2006 was registered under
Sections 272 and 420 IPC by the Sub-Inspector of police, Chikkadpally and after completing the investigation charge sheet was also filed which was numbered as C.C.No.273 of 2006 on the file of the IV Additional Chief Metropolitan Magistrate, Hyderabad for the offence punishable under Sections 272 and 420 IPC and Sections 5 and 10 of the A.P. Prohibition of Cow Slaughter and Animal Preservation Act, 1977. Insofar as the other allegation that police are illegally interfering with the business of the petitioners is concerned the same is denied stating that the respondent never interfered with the business activities of the petitioners.

5. In view of the categorical denial of the specific allegation with regard to the alleged interference of the respondent with the petitioners' business I am of the opinion that no orders are required to be passed in this Writ Petition.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

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V.ESWARAIAH,J

11th June, 2007.
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